

REMARKS/ARGUMENTS

Claims 26-67 are pending. The claims have been revised for clarity and reorganized to more clearly and sequentially present the invention. Claims 26-50 are directed to polynucleotides, vectors and host cells involving *lysR2*. Claims 51-67 are directed to *corynebacterium* which express decreased amounts of the *lysR2* gene product compared to an unmodified starting strain and methods of their use.

Claims 26-29 track prior Claims 22-25. Claims 30-32 track original Claims 1-3. Support for these claims is also found on page 5, lines 21-28. Claims 33-40 find support in original Claim 1 and on page 5, lines 10-17, of the specification. Claim 36 also finds support on page 4, line 30-*et seq.* of the specification and Claim 37 in original Claim 5. Claims 41-46 find support, for example, on page 4, lines 1-3, page 8, lines 20-22, of the specification. Claim 46 also finds support in original Claim 6. Claims 47-57 find support in original Claim 7 and in the specification at page 6, lines 15-*et seq.* Claims 58-67 find support in original Claims 8-18 and in the specification, page 10, line 15-*et seq.* Accordingly, the Applicants do not believe that any new matter has been added. Favorable consideration is respectfully requested.

Election/Restriction

The Applicants note that the Restriction Requirement has been made FINAL. The Applicants respectfully request that examination be extended beyond the elected species *dapA* (see e.g., Claim 66), upon an indication of allowability for the generic claim (i.e., Claims 51 and 58).

Objection-Claims

Claims 13-16 were objected to as containing non-elected subject matter or as being in improper form. These objections are moot in view of the cancellation of these claims.

Rejection—35 U.S.C. 112, first paragraph

Claims 1-16 were rejected under 35 U.S.C. 112, first paragraph, as lacking adequate description. This rejection is moot in view of the cancellation of these claims. The Applicants submit that these grounds of rejection would not apply to the present claims which are directed to sequences having at least 90% identity to fully disclosed sequences, such as SEQ ID NO: 1 or 2, and which are also required to encode polypeptides having LysR2 transcription regulator activity.

Rejection—35 U.S.C. 112, second paragraph

Claims 1-16 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. This rejection is moot in view of the cancellation of these claims.

CONCLUSION

In view of the above amendments and remarks, the Applicants respectfully submit that this application is now in condition for allowance. Early notification to that effect is earnestly solicited.

Respectfully submitted,

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